

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

IN RE: )  
 )  
**COLETTE E. KNIGHTEN,** )  
 )  
**Debtor** )  
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**COLETTE E. KNIGHTEN,** )  
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**Appellant,** )  
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 )  
**vs.** ) Case No. 4:23CV1178 HEA  
 )  
**CITIFINANCIAL MORTGAGE COMPANY,** )  
**INC., et al.,** )  
 )  
**Appellees.** )

**OPINION, MEMORANDUM AND ORDER**

This matter is before the Court on Appellees, Growth Developments LLC and CitiMortgage, Inc.'s Motions to Dismiss, [Doc. No.'s 3 and 4, respectively]. Appellant has failed to respond to the Motions. For the reasons set forth below, the Motions are granted and this appeal will be dismissed.

Appellant filed this appeal from Orders granting Motion to Dismiss with Prejudice of the United States Bankruptcy Court for the Eastern District of Missouri. The Orders were entered on November 1, 2022. This Appeal was filed

on August 24, 2023.

Fed.R.Bankr.P. 8002 mandates filing a notice of appeal “within 14 days after entry of the judgment, order, or decree being appealed.” A timely notice of appeal of a bankruptcy court order is “mandatory.” *In re Verobluu Farms USA, Inc.*, 6 F.4th 880, 887 (8<sup>th</sup> Cir. 2021). An untimely appeal therefore requires dismissal.

Appellant filed the Appeal more than nine months after entry of the Dismissal Order. As Defendant CitiMortgage correctly argues “pro se litigants are not excused from compliance with relevant rules of the procedural and substantive law.” *Schooley v. Kennedy*, 712 F.2d 372, 373 (8th Cir. 1983).

It is undisputed that Appellant missed the mandatory 14-day time limit to file the Appeal and must be dismissed.

Accordingly

**IT IS HEREBY ORDERED** that this appeal is dismissed.

An appropriate Order of Dismissal is entered this same date.

Dated this 16<sup>th</sup> day of July 2024.



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HENRY EDWARD AUTREY  
UNITED STATES DISTRICT JUDGE